

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

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|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case no. 19-0090-01-HFS |
| |) | |
| BILLY E. FULLBRIGHT, |) | |
| |) | |
| Defendant. |) | |

REPORT AND RECOMMENDATION

On April 26, 2019, defense counsel filed a motion, pursuant to Title 18 U.S.C. § 4241, requesting the Court order a psychiatric examination in order to determine whether the Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceeding against him or to assist properly in his defense. (Doc. 15). On May 21, 2019, the Court granted the motion and ordered Defendant to undergo a competency evaluation. (Doc. 17). Defendant was examined by Jessica Micono, Psy.D., who prepared a report dated August 9, 2019. (Doc. 18).

A competency hearing was held on August 29, 2019. The government was represented by Assistant United States Attorney Mary Kate Butterfield. Defendant appeared in person with counsel, Ronna Holloman-Hughes. The parties stipulated to the contents and findings of Dr. Micono's report. No additional evidence was presented.

Based upon the uncontroverted evidence, the Court finds that Defendant is not presently suffering from a mental disease or defect rendering him incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. It is therefore,

RECOMMENDED that the Court find defendant Billy E. Fullbright competent to proceed and stand trial. (Doc. 15).

Dated this 30th day of August, 2019, at Kansas City, Missouri.

/s/ *Matt J. Whitworth*

MATT J. WHITWORTH
United States Magistrate Judge